

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ALFREDO VEGA,

Plaintiff,

v.

CAPTAIN MORGAN and GWEN SCHULTZ,

Defendants.

ORDER

16-cv-573-jdp

ALFREDO VEGA,

Plaintiff,

v.

LUCUS WEBER and LINDSEY WALKER,

Defendants.

ORDER

17-cv-116-jdp

Plaintiff Alfredo Vega, a prisoner at the Green Bay Correctional Institution, is litigating two cases against prison officials in this court. He filed a motion in both cases for an order directing prison officials to allow him the use of release account funds to pay for copies and postage, stating that officials denied him the use of release account funds and an extension of his legal loan funds, and as a result, he would not be able to fully present evidence in support of his claims. In particular, he said that he would not be able to oppose a motion for summary judgment in case no. 16-cv-573 in the event defendants filed one.

I denied Vega's motion for an order mandating use of his release account funds because this court generally cannot tell state officials how to apply state laws like the release-account regulations. *See* Dkt. 39 in the '573 case. But because the Constitution guarantees prisoners the right to meaningful access to the courts, including writing materials and mailing supplies,

see Bounds v. Smith, 430 U.S. 817, 824–25 (1977), I directed the state to show cause why I should not order that Vega be provided legal supplies reasonably necessary to litigate his cases. *Id.*

The state filed separate responses in each case, arguing alternatively that Vega had not been harmed by the lack of legal-loan extension because he had seemingly had no difficulty filing discovery requests, and that it was Vega’s own fault if he had squandered the \$50 legal loan he had received for the 2017 calendar year. Dkt. 40 in the ’573 case and Dkt. 21 in the ’116 case. Vega did not reply to either response, and he subsequently filed several more documents in the two cases, including a response to a summary judgment motion filed by defendants in the ’573 case. It does not appear that Vega wishes to press the issue further, nor has he shown that his concerns about his ability to litigate the case have been realized. So even construing Vega’s previous motion as one for the provision of legal materials under *Bounds*, I will deny that motion without prejudice to Vega renewing it should he be hampered in further litigation efforts. I will be issuing orders on the substantive motions filed in each case shortly.

ORDER

IT IS ORDERED that plaintiff Alfredo Vega’s motion for the provision of legal supplies is DENIED without prejudice.

Entered January 17, 2018.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge